

UNITED STATES DISTRICT COURT
District Of Minnesota (8th Circuit)

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CLERK, U.S. DISTRICT COURT
ST. PAUL, MN

Mr. Samuel I. Cox,

Plaintiff,

Complaint Civil Action No. 21-cv-1776 SRN/TNL

V.

Commissioner Of Department of Human Services, (Jane Doe/John Doe)
Mailroom Employee, John Doe /Jane Doe

JURISDICTION & VENUE

This is a Civil Action authorized by 42 U.S.C. Section 1983 to redress the deprivation, under color of State Law, of rights secured by the Constitution of the United States. The court has jurisdiction under 28 U.S.C. Section 1331 and 1343 (a) (3). Plaintiff seeks declaratory relief pursuant to 28 U.S.C. Section 2201 and 2202. Plaintiff's claims for injunctive relief are authorized by 28 U.S.C. Section 2283 & 2284 and Rule 65 of the Federal Rules of Civil Procedure.

The () is the appropriate venue under 28 U.S.C. Section 1391 (b)(2) because it is where the events giving rise to this occurred.

II. PLAINTIFFS

Plaintiff Mr. Samuel I. Cox, is and was at all times mentioned herein a Prisoner /Patient of the State Minnesota in the custody of the Department of Human Services. He/She is currently confined in Department of Human Services

SCANNED

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Treatment Program (MSOP) in the City of Moose Lake, and the State of Minnesota.

DEFENDANTS

Commissioner Of Department Of Human Services: [Jane Doe/ John Doe], Is responsible for all the operation of the facility including but not limited all the actions of the employees within the Treatment Facility, including creating Policies and enforcing the rights of all individuals residing within the program, also the actions and enforcement of an actions governed by all Treatment employees.

Jane and or John Doe- (Department of Human Services Mailroom Supervisor), Is Supervisor In charge all decisions pertaining to the basic operations of the Mailroom as we'll as the actions of each employee that is active upon that shift..

Jane/John Doe—(Mailroom employee)- In charge of sorting and or organizing the mail. As we'll as issuing it to the patients that reside within the program at the MSOP.

Each defendant is sued individually and in his/her official capacity. At all times mentioned in this complaint each defendant acted under the color of State law.

III. FACTS.....

1). On the following date of (*****) at approximately (4:30pm)- (I) the patient was asked while in mid conversation by a 1C Clinician by the name of Allison Immel in regards to money orders I have been receiving in the mail, and in return I asked why would that be a question one would need to know about the my personal finance's coming into the institution? If nothing illegal is going own as a person and a citizen I have the right to privacy especially concerning my management of my personal finances, I said it is not a policy on how many money orders a person can receive is their? Her response was no, that is not the issue we would like to know where they are going, because we have not seen the leaving the institution. I then replied why would that be any concern of MSOP, if I wanted to tear them up it is my business and right to. Monitoring my money and not having any real probably cause is harassment and a violation of my personal right,

and at this point I told he about the court order that was already issued from the conciliation court, and not getting involved in my personal financial affairs.

At this point she said that it was not me but I was told to ask and would not disclose who this entity was so I can address this directly with them.

2). So the only other option I had to investigate this matter was to write a request and asking for my incident reports to evaluate and see if there were any recent reports giving me insight into this matter further. After writing to H.I.M.S. as we call it an office within the institution that it supposed to be in charge of vital records, to request a posting of said reports related to this matter, and I received a document stating it would be posted on my patient network (a service we have that lets us review document of a private matter via wordsoft programming), on a specific date in which that never happened until finally the last day it was to be taken off it appeared only for a brief moment, and I wrote another internal request stating and asking why the document information hasn't appeared, and they response it was, and it wasn't in which I found it odd that they would state that and it never showed up, because I need the information from those reports to file the proper complaints.

4). In the mean time dealing with this matter, I was then approached again on more than one occasion and ask by the Unit Director of 1C Mr. Phil Olson about this same matter again, and again, as I continually ask the question why is and or whoever worried about my personal finances, and harassing me, and circumventing my rights in order to determine what I am doing and or investing my personal finances into, why would that be a concern of theirs, and again no explanation, just the comment I was told to ask. The mailroom policy clearly states that if any mail monitoring is to occur of any kind for any reason I the patient is to be notified in advance via mail that way I can assure that mail right are being respected within the scope of my constitutional rights. And at this point thus far they have not. The matters of my financial affairs are for the purpose of numerous financial court matters, and I have the right to privacy especially in these matters.

MSOP does not have the right to pursue, and or harass me, just to execute at personal request of an employee and or administration at will, and or without just cause. This is an abuse of MSOP authority over me while in their custody.

IV. EXHAUSTION OF LEGAL REMEDIES

All grievance was filed personal property at the time of this complaint being filed are not available, because the institution is withhold All documents related to this issue . But multiple grievances have been filed complaints and conferences by Lawyer guardian, family and support.....

V. LEGAL CLAIMS

Plaintiff reallege and incorporate by reference paragraphs 1-11

- ❖ Minnesota Statue 144.651, address the matter of • **Handle your own money.**
- ✓ Quarterly financial reports, if you let someone else handle your money.
- ✓ Meet and join business, religious and community groups, and if you are an eligible voter, to vote by absentee ballot.
- ✓ Take part in advisory councils.

MSOP is in violation of that right and this has been an issue for some time now.

- ❖ **Amendment 4 Unreasonable searches and seizures.**

- ❖ **VII. RIGHT OF PRIVACY**

VERIFICATION

I have read the forgoing complaint and hereby verify that the matters alleged therein are true, except as to matter alleged on information and belief, and as to ythose, I believe them true. I certify under penalty of perjury that the forgoing is true and correct.

Executed at MSOP moose lake MN 55767

signature

V.I. PRAYER FOR RELEIF

WEREFOR, Plaintiff respectfully Pray that the Court enter Judgment.

Granting Plaintiff Hey a declaration that the acts and omissions described herein violates his rights under the Constitution and laws of the United States and

A preliminary and permanent injunction ordering defendants MSOP employees to cease their actions. Of illegal investigations into my financial affairs, and delaying and coping financial documents not related to any illegal activities with the sole purpose to invade my personal privacy rights, without notice and or and justifiable cause. To also and not limit Harassing me and causing Intentional Emotional Infliction of distress. Also the revaluation of mailroom policy to private personal employees from forming personal agendas and vendettas toward patients within the program just based on their personal perceptions